

Jon D. Derrevere, Esquire (FBN: 330132)  
Derrevere, Hawkes & Black  
470 Columbia Drive, Bldg B  
West Palm Beach, FL 33409  
561-684-3222  
*Pro Hac Vice*

CHARLES K. BRUNN (CBN: 28021)  
BRUNN & FLYNN  
928 12th Street, Suite 200  
P.O. Box 3366 (95353)  
Modesto, California 95354

Atorneys for Plaintiff  
FIREMAN'S FUND INSURANCE COMPANY,  
a foreign corporation a/s/o BASIC RESOURCES, INC.  
and GEORGE REED, INC., a foreign corporation

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

FIREMAN'S FUND INSURANCE COMPANY, a foreign corporation a/s/o BASIC RESOURCES, INC. and GEORGE REED, INC., a foreign corporation.

Plaintiff.

vs.

GERLING AMERICA INSURANCE  
COMPANY, a foreign corporation.

Defendant.

) CASE NO. C 07 06302 CRB  
)  
) PLAINTIFF'S NOTICE OF FILING FIRST  
) SUPPLEMENTAL DECLARATION OF  
) JON D. DERREVERE IN SUPPORT OF  
) PLAINTIFF'S MOTION FOR COURT TO  
) TAKE JUDICIAL NOTICE OF COURT  
) RECORDS OF UNDERLYING STATE  
) COURT ACTION, FOR MOTIONS FOR  
) FINAL SUMMARY JUDGMENT [DUE TO  
) BE FILED JULY 3, 2008 (D.E. 30)] AND  
) FOR ALL OTHER PURPOSES [F.R.E.201]  
)

Plaintiff, FIREMAN'S FUND INSURANCE COMPANY ("FFIC") a/s/o BASIC RESOURCES, INC. ("BASIC RESOURCES") and GEORGE REED, INC. ("GEORGE REED") hereby files this Notice of Filing of Jon D. Derrevere's First Supplemental Declaration in Support of Plaintiff's Motion for Court to Take Judicial Notice of Underlying Court Records, for Motion for Final Summary Judgment and for all other Purposes.

DATED: 26th DAY OF One 2008.

PLAINTIFF'S NOTICE OF FILING FIRST SUPPLEMENTAL DECLARATION OF JON D.  
DEURREVE

1  
2 By: **/S/ JON D. DERREVERE**  
3 JON D. DERREVERE  
4 Fla. Bar No.: 330132  
5 Derrevere, Hawkes & Black  
6 470 Columbia Drive, Bldg B  
7 West Palm Beach, FL 33409  
8 jjd@derreverelaw.com

9  
10 *Admitted Pro Hac Vice*  
11 Counsel for Plaintiff  
12

13 CHARLES K. BRUNN  
14 CBN: 28021  
15 BRUNN & FLYNN  
16 928 12th Street, Suite 200  
17 P.O. Box 3366 (95353)  
18 Modesto, California 95354  
19 Email: CBrunn@Brunn-Flynn.com

20 Co-counsel for Plaintiff  
21  
22  
23  
24  
25  
26  
27  
28

## PROOF OF SERVICE

*Fireman's Fund Ins. Co. v. Gerling American Ins.*

United States District Court, Northern District of California

Case No.: C 07 06302 CRB

I am employed in the City and County of West Palm Beach, State of Florida. I am over the age of 18 and not a party to the within action; my business address is: Derrevere, Hawkes & Black, 470 Columbia Drive, Building "B", West Palm Beach, Florida 33409.

On June 26th, 2008, I served the foregoing document(s) described as:

**PLAINTIFF'S NOTICE OF FILING SUPPLEMENTAL DECLARATION OF JON D.  
DERREVERE IN SUPPORT OF PLAINTIFF'S MOTION FOR COURT TO TAKE  
JUDICIAL NOTICE OF UNDERLYING COURT RECORDS, FOR MOTION FOR FINAL  
SUMMARY JUDGMENT AND FOR ALL OTHER PURPOSES [F.R.C.P. 12(c)]**

On the interested parties in this action by placing [ ] the original [ ] a true copy thereof enclosed in a sealed envelope addressed as stated below:

13 | ] BY REGULAR MAIL:

14 I caused such envelopes to be deposited in the United States Mail at West Palm Beach, Florida  
15 with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection  
16 and processing correspondence for mailing. It is deposited with United States postal service each  
day and that practice was followed in the ordinary course of business for the service herein  
attested to.

17 | [X] BY ECF:

I HEREBY CERTIFY that on this 26th day of June, 2008, I electronically filed the foregoing document with the Clerk of Court using CM/ECF. I also certify that the foregoing document is being served this day on: TINO X. DO, Barger & Wolen, LLP, 650 California Street, 9<sup>th</sup> Floor, San Francisco, CA 94108, tdo@barwol.com and CHARLES K. BRUNN, Brunn & Flynn, 928 12<sup>th</sup> Street, Suite 200, P.O. Box 3366, Modesto, CA 95354, CBrunn@Brunn-Flynn.com via transmission of Notices of Electronic Filing generated by CM/ECF.

21 **[X] FEDERAL** - I declare that I am employed in the office of a member of the Florida Bar,  
22 admitted to practice in all Florida Courts and who makes this Pro Hac Vice Application, that our  
23 co-counsel and sponsor is a member of the bar of this California Court, and at their direction this  
service was made. Executed at West Palm Beach, Florida on 26th June, 2008.

24 NAME: *Deanna N. Menendez*

Signature: Debra A. Menendez

PLAINTIFF'S NOTICE OF FILING FIRST SUPPLEMENTAL DECLARATION OF JON D.  
DERREVERE